

REMARKS

This Amendment is in response to the Office action mailed on June 9, 2010.

Status of the Claims

Claims 21-58 are pending in the present application, with claims 21-24 and 40-52 withdrawn. Claims 55 and 57 are canceled. Claims 25, 36, 56, and 58 are amended as described in more detail below. No new matter is added by the claim amendments.

Response to Rejections Under 35 U.S.C. § 102

Claims 25, 27, 29, 31, 32, 36, 53, and 54-57 were rejected as allegedly anticipated by Kobayashi et al. (4,974,238). It is respectfully submitted that independent claims 25, 36, and 56, as amended, are patentably distinguishable over Koyabashi et al. Claim 25, as amended, recites a processor arranged to compare identifiers and to generate an invalid indication if there is a match *between the identifier read by the reader and the list of any previously used identifiers*, where a match would disable the printing apparatus.

Claim 36, as amended, similarly recites a processor arranged to compare identifiers and to generate an invalid indication if there is a match *between the identifier read by the reader and the list of any previously used identifiers*, where an invalid indication includes an internal control signal which disables the printing apparatus.

Claim 56, as amended, similarly recites a processor arranged to compare identifiers and to generate an invalid indication if there is a match *between the identifier read by the reader and the list of any previously used identifiers*, where an invalid indication includes an internal control signal which disables the printing apparatus.

Kobayashi, et al. does not show this condition. For example, according to amended claim 25, when there is a match of identifiers, the processor generates an invalid indication, which includes an internal control signal that disables the printing apparatus such that printing operations cannot be implemented. This directly contrasts with Kobayashi et al. (see column 6, lines 7-9), which states that “a drum having a used life count exceeding the predetermined life can be continued to be used if so desired by the operator.” The printer of Kobayashi et al. is not disabled when the consumable is considered to be a previously-used consumable. Applicants concede that in Kobayashi a user can reset the warning or alarm with a switch (column 6, line 10). However, Kobayashi does not disclose that the printer cannot be used until that switch has been reset. Therefore, it is respectfully submitted that the cited reference does not disclose disabling printing upon detection of a match between the identifier read by the reader and the list of any previously used identifiers. For at least these reasons, independent claims 25, 36, and 56, as amended, are patentably distinguishable over Kobayashi et al.

Response to Rejections Under 35 U.S.C. § 103

Claims 26, 28, 30, 33-35, 37-39, 55, and 58 were rejected as allegedly unpatentable over Kobayashi et al. in view of Klinefelter et al., WO 00/43932. Claims 26, 28, 30, 33-35, 37-39, and 55 depend from independent claims 25 and 36. Applicants respectfully submit that independent claims 25 and 36, as amended, are patentably distinguishable from Kobayashi et al. and, therefore, are not rendered obvious by the combination of Kobayashi et al. and Klinefelter et al.

Claim 58, as amended, discloses that the consumable “comprises an image receiving substrate, said substrate provided with markings indicative of the amount of image receiving substrate remaining,” meaning that the markings are provided on the substrate. The Office action

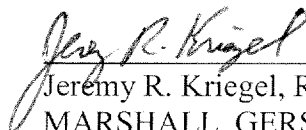
concedes that Kobayashi et al. does not disclose that the consumable comprises an image receiving substrate. Klinefelter et al. does disclose a consumable which comprises an image receiving substrate. However there are no markings on the substrate indicative of the amount of image receiving substrate remaining. In Klinefelter et al., the amount of substrate remaining is calculated using an encoder wheel attached to a shaft which holds the image receiving substrate. Klinefelter et al. does not disclose markings indicative of the amount of image receiving substrate remaining. Therefore, both Kobayashi et al. and Klinefelter et al., alone or in combination, fail to disclose a consumable “comprising an image receiving substrate, said substrate provided with markings indicative of the amount of image receiving substrate remaining.” At best, the proposed combination or modification would result in a system that calculates the amount of substrate remaining using an encoder wheel attached to a shaft, which holds the remaining image receiving substrate, rather than reading the markings on the actual substrate to determine that information. It is therefore respectfully submitted that claim 58 is allowable. Withdrawal of the rejection is respectfully solicited.

Conclusion

For the foregoing reasons, it is respectfully submitted that claims 25-39, 53, 54, 56, and 58 are in condition for allowance. If the Examiner has any questions that might easily be resolved by telephone, he is invited to contact the Applicants' undersigned representative at (312) 474-6300.

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Respectfully submitted,



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